

**UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MICHIGAN
CRIMINAL MINUTE SHEET**

USA v. Andrew Blair Howard	Mag. Judge: Ray Kent
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CASE NUMBER	DATE	TIME (begin/end)	PLACE	INTERPRETER
1:23-mj-00230-RSK	February 7, 2024	*See below.	Grand Rapids	

APPEARANCES:

Government: Lauren F. Biksacky	Defendant: Anthony J. Valentine	Counsel Designation: Retained
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OFFENSE LEVEL	CHARGING DOCUMENT/COUNTS	CHARGING DOCUMENT
Misdemeanor, Class B	Information	Read ____ Reading Waived ____

TYPE OF HEARING	DOCUMENTS	CHANGE OF PLEA
<input type="checkbox"/> First Appearance <input type="checkbox"/> Arraignment: <input type="checkbox"/> mute <input type="checkbox"/> nolo contendere <input type="checkbox"/> not guilty <input type="checkbox"/> guilty <input type="checkbox"/> Initial Pretrial Conference <input type="checkbox"/> Detention (waived <input type="checkbox"/>) <input type="checkbox"/> Preliminary (waived <input type="checkbox"/>) <input type="checkbox"/> Rule 5 Proceeding <input type="checkbox"/> Revocation/SRV/PV <input type="checkbox"/> Bond Violation <input type="checkbox"/> Change of Plea <input type="checkbox"/> Sentencing <input checked="" type="checkbox"/> Other: Bench Trial	<input type="checkbox"/> Defendant's Rights <input type="checkbox"/> Waiver of _____ <input type="checkbox"/> Consent to Mag. Judge for _____ <input type="checkbox"/> Other: _____ Court to Issue: <input type="checkbox"/> Report & Recommendation <input type="checkbox"/> Order of Detention <input type="checkbox"/> Order to file IPTC Statements <input type="checkbox"/> Bindover Order <input type="checkbox"/> Order Appointing Counsel <input type="checkbox"/> Other: _____	Guilty Plea to Count(s) _____ of the _____ Count(s) to be dismissed at sentencing: _____ Presentence Report: <input type="checkbox"/> Ordered <input type="checkbox"/> Waived <input type="checkbox"/> Plea Accepted by the Court <input type="checkbox"/> No Written Plea Agreement EXPEDITED RESOLUTION <input type="checkbox"/> Case appears appropriate for expedited resolution

ADDITIONAL INFORMATION	SENTENCING
*9:01 - 10:24 a.m.; 10:37 - 11:12 a.m.; 11:21 - 11:30 a.m.; 12:32 - 1:31 p.m.; 1:49 - 2:19 p.m.; 2:52 - 3:13 p.m. Preliminary matters discussed; parties stipulated to the admission of exhibits and exhibits deemed admitted; Government presented and rested its case; defendant presented and rested its case; closing arguments made; the Court found the Government met the essential elements of both counts beyond a reasonable doubt and found defendant guilty; briefing schedule and date for sentencing to be set. (See attachment to minutes for list of witnesses and exhibits.)	Imprisonment: _____ Probation: _____ Supervised Release: _____ Fine: \$ _____ Restitution: \$ _____ Special Assessment: \$ _____ Plea Agreement Accepted: <input type="checkbox"/> Yes <input type="checkbox"/> No Defendant informed of right to appeal: <input type="checkbox"/> Yes <input type="checkbox"/> No Counsel informed of obligation to file appeal: <input type="checkbox"/> Yes <input type="checkbox"/> No

CUSTODY/RELEASE STATUS	BOND AMOUNT AND TYPE
Continued on Bond	\$ _____
CASE TO BE: Set for Hearing before Mag. Judge	TYPE OF HEARING: Sentencing
Reporter/Recorder: Paul Brandell	Courtroom Deputy: S. Carpenter

**UNITED STATES OF DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
Attachment to Criminal Minute Sheet**

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Witnesses

Govt	Deft	
X		Logan Bahm, Ranger, National Park Service
X		Zachary Hatfield
X		L.S. (<i>a minor</i>)
X		Jamie Nelson
X		Carrie Allgaier
X		Kirk Walby
X		Scott Dekkers, Supervisory Ranger, National Park Service
	X	Amy Roche
	X	Laura Calleja
	X	Andrew Howard

Exhibits

Govt	Deft	
1		Aerial image from Google Earth taken May 2022
2		National Park Service Ranger Logan Bahm's body camera footage taken 8/15/22
2A-2K		Video clips from Govt. Exhibit 2
2L		Screenshot from Govt. Exhibit 2
3		Photograph taken by Ranger Bahm on 8/15/22 at 6:31 p.m.
4		Aerial photograph taken by the U.S. Coast Guard from above the Platte River in a helicopter on or about 8/18/22
5		Aerial photograph taken by the U.S. Coast Guard from above the Platte River in a helicopter on or about 8/18/22
6		Aerial photograph taken by the U.S. Coast Guard from above the Platte River in a helicopter on or about 8/18/22
7		Aerial photograph taken by the U.S. Coast Guard from above the Platte River in a helicopter on or about 8/18/22
8		Aerial photograph taken by the U.S. Coast Guard from above the Platte River in a helicopter on or about 8/18/22
9		Photograph taken 8/15/22 at 5:32 p.m.
10		Photograph taken 8/15/22 at 6:06 p.m.
11		Photograph taken 8/15/22 at 6:06 p.m.
12		Photograph taken 8/15/22 at 6:11 p.m.
13		Photograph taken 8/15/22 at 6:12 p.m.
14		Photograph taken 8/15/22 at 6:24 p.m.
15		Photograph taken 8/17/22 at 1:47 p.m.
16		Photograph taken 8/18/22 at 11:09 a.m.
17		Photograph taken 8/18/22 at 11:09 a.m.
18		Photograph taken 8/19/22 at 8:55 a.m.

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Attachment to Criminal Minute Sheet**

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	A	Series of aerial photographs taken at the mouth of the Platte River
	B	Aerial photograph taken from above the Platte River and Lake Michigan from a helicopter on or about 8/18/22
	C	Aerial photograph taken from above the Platte River and Lake Michigan from a helicopter on or about 8/18/22
	D	Aerial photograph taken from above the Platte River and Lake Michigan from a helicopter on or about 8/18/22
	E	Aerial image of the Platte River and Lake Michigan taken during May 2022
	F	Photograph taken on 8/18/22 at 11:09 a.m. at the Platte River
	G	Photograph taken on 8/15/22 at 4:03 p.m. at the Platte River
	H	Thirty-eight second video taken in the hour before 3:24 p.m. on 8/15/22 at the beach at the Platte River and Lake Michigan
	I	Photograph taken at the Platte River and Lake Michigan on 8/15/22 at approximately 6:06 p.m.
	J	Photograph taken at the Platte River and Lake Michigan on 8/15/22 at approximately 6:06 p.m.
	K	Photograph taken at the Platte River and Lake Michigan on 8/15/22 at approximately 6:12 p.m.
	L	Photograph taken on 8/15/22 at approximately 2:51 p.m. at the Platte River
	M	Photograph taken on 8/15/22 at approximately 2:27 p.m. at the Platte River and Lake Michigan
	N	Photograph taken on 8/15/22 at approximately 4:11 p.m. at the Platte River and Lake Michigan
	O	Photograph taken on 8/15/22 at approximately 4:58 p.m. at the Platte River and Lake Michigan
	P	Photograph taken on 8/17/22 at approximately 3:08 p.m. at the Platte River and Lake Michigan
	Q	Photograph taken on 8/14/22 during the late afternoon/early evening hours at the Platte River and Lake Michigan
	R	Photograph taken on 8/14/22 during the late afternoon/early evening hours at the Platte River and Lake Michigan
	S	Copy of credit card sales receipt dated 8/15/22 from the Frankfort Hardware Store in Frankfort, MI, and internet advertisement for sale of shovels
	T	Eighteen second video recording taken 8/15/22 at 4:03 p.m. at the Platte River and Lake Michigan